

Message Text

LIMITED OFFICIAL USE

PAGE 01 ROME 13150 121924Z

43

ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 SSO-00 NSCE-00 USIE-00 INRE-00

CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00 INR-07 NSAE-00

CIEP-01 FAA-00 PA-01 PRS-01 L-03 /035 W

----- 104266

O 121624Z AUG 76

FM AMEMBASSY ROME

TO SECSTATE WASHDC IMMEDIATE 0000

LIMITED OFFICIAL USE ROME 13150

E.O. 11652: N/A

TAGS: EAIR, IT

SUBJECT: CIVAIR - UNAUTHORIZED OVERSEAS NATIONAL AIRWAYS (ONA)
CHARTER FLIGHT

REF: (A) STATE 199143, (B) ROME 10175, (C) ROME 10418,
(D) ROME 11517, (E) ROME 12826

1. SUMMARY. EMBASSY REMAINS RELUCTANT TO SEEK RELIEF FOR ONA AS REQUESTED BY REF (A) AS IT DOES NOT APPEAR TO TAKE INTO ACCOUNT REASONS WHY USG SHOULD NOT SEEK SUCH RELIEF CITED IN EARLIER EMBTELS (REFS (B) THROUGH (E)). OUR MAIN OBJECTION TO MAKING REPRESENTATIONS ON BEHALF OF ONA IS BASED ON THE EVIDENCE THAT ONA KNEW ITS JUNE 20 FLIGHT HAD NOT BEEN AUTHORIZED AND WOULD NOT BE AUTHORIZED, BUT DECIDED TO OPERATE THE FLIGHT ANYWAY, THEREBY KNOWINGLY AND WILLFULLY VIOLATING ITALIAN REGULATIONS. IF THE EMBASSY SEEKS RELIEF IN SUCH CASES, WHICH APPEARS TO BE FLAGRANT VIOLATION AND WHERE THERE IS VIRTUALLY NO CHANCE OF SUCCESS, IT PROBABLY WOULD LOSE SOME OF ITS CREDIBILITY AND INFLUENCE FOR USE IN MORE APPROPRIATE CASES SUCH AS THE TIA CASE. FYI. EMBOFFS DID TAKE TIA CASE TO DR. COLLINI, MINTRANSPORT CHIEF OF CABINET. COLLINI INFORMED EMBOFF THAT NEW MINISTER GRANTED WAIVER IN THAT CASE ON THE BASIS OF A MEMO SUBMITTED BY COLLINI.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 ROME 13150 121924Z

END FYI.) END SUMMARY.

2. INSOFAR AS "OFFENDING ONA FLIGHT" IS CONCERNED, ONA COULD NOT HAVE RECEIVED AUTHORIZATION BECAUSE ITS REQUEST, IN THE WORDS OF ITS OWN LOCAL REP (PLEASE PROTECT THROUGH-OUT), MET NONE OF THE NECESSARY NOTIFICATION CRITERIA. AS NOTED IN REF (B), HE ACCORDINGLY INFORMED TINARI AND THORNTON OF ONA THAT AUTHORIZATION WOULD NOT BE FORTHCOMING. ONA, NONETHELESS, BROUGHT IN THE UNAUTHORIZED FLIGHT.

3. EMBASSY ALSO RELUCTANT TO SUPPORT ONA ON THE GROUND THAT ONA FAILED TO APPEAL PROMPTLY ITS THREE MONTH SUSPENSION AS RECOMMENDED BY THE ONA LOCAL REP. AS NOTED REF (D), MINTRANSPORT OFFICIAL INFORMALLY ADVISED LOCAL REP THAT APPEAL WOULD LIKELY RESULT IN REDUCED PENALTY. FYI. APPARENTLY, DELAY IN FILING ONA'S APPEAL WAS CAUSED BY DECISION OF ONA- NEW YORK OFFICIAL TO SEEK "UNOFFICIAL" ASSISTANCE OF PERSONAL FRIEND. WHEN THIS EFFORT PROVED UNSUCCESSFUL, ONA EVIDENTLY FINALLY TURNED TO OFFICIAL CHANNELS INCLUDING REQUEST FOR USG INTERVENTION. END FYI.

4. LOCAL ONA REP, CAMILETTI, HAS PROVIDED EMBASSY COPIES OF TELEX COMMUNICATIONS BETWEEN HIMSELF AND TINARI. ON AUGUST 11, CAMILETTI INFORMED TINARI AS FOLLOWS: "NEW MINISTER OF TRANSPORTATION HAS REJECTED OUR LONG APPEAL AND INSTRUCTION IS BEING GIVEN TO CIVIL AIR TO RECONFIRM SANCTION OF 3 MONTHS. DEEPLY REGRET BUT AT THIS POINT FEEL THERE IS NOTHING DOING. BELIEVE EVEN USA EMBASSY COULD NOT DO ANYTHING TO REVERSE A PERSONAL MINISTER (SIC) DECISION BECAUSE ABOVE HIS STATUS THERE IS NO HIGHER GRADE AUTHORITY WHO COULD INTERVENE."

5. EMBASSY CONCURS IN CAMILETTI'S ASSESSMENT. WE BELIEVE LOWER OR MIDDLE LEVEL APPROACH WOULD BE NEITHER APPROPRIATE NOR FRUITFUL. ONLY CONCEIVABLE CHANCE OF SUCCESS WOULD BE THROUGH DIRECT APPROACH BY THE AMBASSADOR TO THE MINISTER OF TRANSPORTATION. HOWEVER, WE DO NOT BELIEVE THIS IS WARRANTED IN VIEW OF (A) ONA'S APPARENT VIOLATION OF CIVILAVIA REGULATIONS AND PER-LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 ROME 13150 121924Z

SISTENCE IN LANDING DESPITE NOTIFICATION OF NON-AUTHORIZATION AND (B) REPORTED REVIEW AND RE-CONFIRMATION OF ORIGINAL SUSPENSION BY THE MINISTER.

6. ACTION REQUESTED: EMBASSY WOULD APPRECIATE DEPARTMENT'S CONSIDERATION OF ABOVE FACTORS BEFORE CONFIRMING REF (A) INSTRUCTIONS. VOLPE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, SUPPLEMENTAL AIRLINES, AVIATION AGREEMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 12 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976ROME13150
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760310-1266
From: ROME
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760860/aaaacahb.tel
Line Count: 114
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 199143, 76 ROME 10175, 76 ROME 10418, 76 ROME 11517, 76 ROME 12826
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 03 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 MAY 2004 by izenbei0>; APPROVED <26 AUG 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - UNAUTHORIZED OVERSEAS NATIONAL AIRWAYS (ONA) CHARTER FLIGHT
TAGS: EAIR, IT, ONA
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006